

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA.,

Plaintiff

v.

**GREG ABBOTT, IN HIS
CAPACITY AS GOVERNOR OF
THE STATE OF TEXAS; AND
THE STATE OF TEXAS,**

Defendants

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No. 1:23-CV-00853-DAE

ORDER

The Court today held a status conference to address scheduling matters related to several motions referred by the District Judge to the undersigned. In particular, the following motions are currently pending:

- Plaintiff United States' Opposed Motion for Protective Order (regarding Defendants' 30(b)(6) deposition notices), Dkt. 126; and Defendants' associated Motion to Strike Plaintiff's Motion, Dkt. 136;
- Defendants' Opposed Motion to Compel Plaintiff's Interrogatory Responses, Dkt. 133; and
- Defendants' Opposed Motion to Exclude or Limit the Expert Witness Testimony of Adrian Cortez, Dkt. 130.

At the status conference, counsel indicated that they were hopeful that through continued meet-and-confers, the parties could potentially resolve the disputes raised in the pending discovery motions (Dkt. 126/136 and Dkt. 133). Counsel for the Defendants indicated additional motion practice related to the Plaintiff's responses to requests for production and requests for admission might be needed, but counsel again expressed hope that further conferring could resolve these disputes as well. The

Court shares their optimism and looks forward to a notice from the parties regarding their resolution of these issues.

In addition to the discovery disputes, the Court presently has before it Defendants' motion to exclude Adrian Cortez's expert testimony, Dkt. 130. And Defendants indicated during the status conference that they anticipated filing at least two additional *Daubert* motions. Plaintiff likewise stated the U.S. may have *Daubert* motions of its own.

To ensure that the undersigned has sufficient time to rule on the currently pending and forthcoming motions, the Court informed the parties that any pending or contemplated discovery or *Daubert* motions would be heard on Thursday, July 25, 2024, and that the briefing for these motions must be complete (i.e., motion, response, and reply all filed) by Friday, July 19, 2024. The parties must file a joint advisory addressing their final meet-and-confer on the motions no later than noon on Monday, July 22, 2024. The parties will confer regarding an agreed briefing schedule in light of these deadlines and will file the schedule with the court.

SIGNED July 2, 2024.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE